



ENVIRONMENTAL QUALITY COUNCIL

ENVIRONMENTAL QUALITY
COUNCIL 2017-18

PO BOX 201704
HELENA, MONTANA 59620-1704
(406) 444-3742

September 28, 2017

Exhibit 21

GOVERNOR STEVE BULLOCK
DESIGNATED REPRESENTATIVE
PATRICK HOLMES

HOUSE MEMBERS
BRADLEY MAXON HAMLETT--Vice
Chair
WILLIS CURDY
JANET ELLIS
STEVE GUNDERSON
THERESA MANZELLA
KERRY WHITE

SENATE MEMBERS
CHAS VINCENT--Chair
MIKE LANG
MIKE PHILLIPS
JP POMNICHOWSKI
CARY SMITH
GENE VUCKOVICH

PUBLIC MEMBERS
SCOTT ASPENLIEDER
JOHN C. BRENDEN
KYLIE PAUL
MATT VINCENT

COUNCIL STAFF
TREVOR GRAFF, Research Analyst
JASON MOHR, Research Analyst
HOPE STOCKWELL, Research Analyst
ERIN BILLS, Staff Attorney
NADINE SPENCER, Secretary
JOE KOLMAN, Legislative
Environmental Analyst

September 28, 2017

The Honorable Steve Bullock
Governor, State of Montana

Dear Governor Bullock:

During its September 27, 2017, meeting, a majority of the members of the Environmental Quality Council (EQC) voted to send a letter requesting information from your office. As the legislative entity that has review authority over the Montana State Parks and Recreation Board, the EQC is seeking an explanation behind the recent termination of Tom Towe from the Montana State Parks and Recreation Board (Board).

In 2013, the 63rd Montana Legislature passed House Bill 24, which created the quasi-judicial State Parks and Recreation Board. By the request of the EQC, Representative Duane Ankney introduced this bill to require Senate vetting and approval of proposed members of the Board. Furthermore, in an effort to insulate the quasi-judicial boards from changes in the political landscape, the Legislature restricted the termination of board members. Pursuant to 2-15-124(6), MCA, members of a quasi-judicial board may be removed by the Governor "only for cause."

The EQC requests a written explanation on the termination of Mr. Towe and how it satisfies the "for cause" restriction mandated by the Legislature.

Sincerely,

Sen. Chas Vincent, presiding officer



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GOVERNOR STEVE BULLOCK DESIGNATED REPRESENTATIVE PATRICK HOLMES	HOUSE MEMBERS BRADLEY MAXON HAMLETT--Vice Chair WILLIS CURDY JANET ELLIS STEVE GUNDERSON THERESA MANZELLA KERRY WHITE	SENATE MEMBERS CHAS VINCENT--Chair MIKE LANG MIKE PHILLIPS JP POMNICHOWSKI CARY SMITH GENE VUCKOVICH	PUBLIC MEMBERS SCOTT ASPENLIEDER JOHN C. BRENDEN KYLIE PAUL MATT VINCENT	COUNCIL STAFF TREVOR GRAFF, Research Analyst JASON MOHR, Research Analyst HOPE STOCKWELL, Research Analyst ERIN BILLS, Staff Attorney NADINE SPENCER, Secretary JOE KOLMAN, Legislative Environmental Analyst
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September 27, 2017

The Honorable Steve Bullock
Governor, State of Montana

Dear Governor Bullock,

During its September 27, 2017, meeting, a majority of the members of the Environmental Quality Council (EQC) voted to send a letter requesting information from your office. Specifically, the EQC is seeking an explanation behind the recent termination of Tom Towe from the Montana State Parks and Recreation Board (Board).

As you know, the Legislature has provided that the termination of Board members must only be "for cause" under 2-15-124 and 2-15-3406, MCA:

2-15-124. Quasi-judicial boards. If an agency is designated by law as a quasi-judicial board for the purposes of this section, the following requirements apply:

[...]

(6) Members may be removed by the governor only for cause.

2-15-3406. State parks and recreation board — composition. (1) There is a state parks and recreation board.

[...]

(6) The board is designated as a quasi-judicial board for purposes of 2-15-124, except that the requirement that at least one member be an attorney does not apply.

As the legislative entity that has review authority over the Board, the EQC requests a written explanation on the termination of Mr. Towe and how it satisfies the "for cause" restriction mandated by the Legislature.

Sincerely,

Sen. Chas Vincent, presiding officer